

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

WHEREAS, on June 2, 2017, Benjamin Miller (“Plaintiff”) filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i);

WHEREAS, Defendants have not filed an Answer or moved for summary judgment;

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1 WHEREAS, a class has not been certified;

2 WHEREAS, Plaintiff has not previously dismissed an action based on or
3 including the same claims as presented in this instant action;

4 WHEREAS, there are substantially similar actions pending against the same
5 Defendants in the United States District Court for the Southern District of New
6 York styled as *Rubel v. AmTrust Financial Services, Inc. et al*, Docket No. 1:17-
7 cv-01545 (S.D.N.Y. Mar 01, 2017), *Sachetti v. Amtrust Financial Services, Inc. et*
8 *al*, Docket No. 1:17-cv-02001 (S.D.N.Y. Mar 20, 2017), and *Albano v. AmTrust*
9 *Financial Services, Inc. et al*, Docket No. 1:17-cv-03154 (S.D.N.Y. Apr 28, 2017)
10 (collectively, the “SDNY Actions”), asserting claims under Sections 10(b) and
11 20(a) of the Securities Exchange Act of 1934 and Rule 10b-5 promulgated
12 thereunder, arising from the same conduct as the instant action;

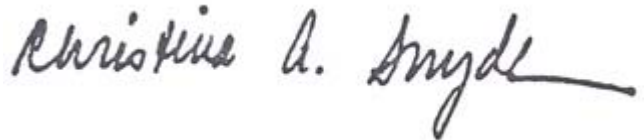
13 WHEREAS, there are Lead Plaintiff motions pending in the SDNY
14 Actions;

15 WHEREAS, Plaintiff does not oppose Defendants’ Motion to Transfer this
16 action to the Southern District of New York; and

17 WHEREAS, this dismissal is without prejudice and each party is to bear
18 their own costs and fees.

19 The pending motions before this Court are denied as moot.

20 IT IS SO ORDERED.



21 Dated June 2, 2017

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23 Hon. Christina A. Snyder
24 U.S. District Judge
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